

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

VICTOR JOSE SMOKER,	:	CIVIL ACTION
	:	
Petitioner,	:	NO. 10-4339
	:	
v.	:	
	:	
STEVEN GLUNT, et al.,	:	
	:	
Respondents.	:	

**ORDER**

AND NOW, this 15<sup>th</sup> day of April, 2011, upon consideration of the pleadings and the record herein, and after review of the unopposed Report and Recommendation of U.S.

Magistrate Judge David R. Strawbridge, it is hereby ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED;
2. Mr. Smoker's Petition for Writ of Habeas Corpus is DENIED and DISMISSED WITHOUT AN EVIDENTIARY HEARING;
3. There is no probable cause to issue a certificate of appealability; and
4. The Clerk of Court shall close this case for all purposes, including statistics.

BY THE COURT:

/s/ C. Darnell Jones, II

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C. DARNELL JONES, II, U.S.D.J.